

Council Member introduced the following:

Ordinance 32.62.17

AN ORDINANCE AMENDING PART 10 (BOARD OF CONTRACT AND SUPPLY) OF CHAPTER 42 (DEPARTMENTS AND COMMISSIONS) BY ADDING A NEW SECTION 165 ENTITLED “APPRENTICESHIP TRAINING PROGRAM”

The City of Albany, in Common Council convened, does hereby ordain and enact:

Section 1. Section 165 of Chapter 42 of the Code of the City of Albany is enacted to read as follows:

42-165 Apprenticeship training program.

A. Pursuant to New York State Labor Law § 816-b, the City of Albany hereby requires all contractors and subcontractors entering into any construction contracts with the City of Albany to have established apprenticeship agreements appropriate for the type and scope of work to be performed under the contract, that have been approved by the NYS Commissioner of Labor. Such contractor must provide proof of such apprenticeship participation before entering into a construction contract with the City of Albany.

B. All contractors and subcontractors entering into any construction contracts with the City of Albany as defined in Subsection (1) above, shall make every effort to employ apprentices that reside in the City of Albany.

C. Definitions

"Construction contract" shall mean any contract which involves construction, reconstruction, improvement, rehabilitation, installation, alteration, renovation, demolition, or otherwise providing for any building, facility, or physical structure of any kind with a value in excess of \$100,000.

“Participation” or “participate” in a New York State registered apprenticeship program means that the contractor or subcontractor; is a signatory to a collective bargaining agreement with a labor organization which sponsors an apprentice program registered with the New York State Department of Labor; or individually sponsors an apprenticeship program registered by the New York State Department of Labor; is signatory to or otherwise bound by a project labor agreement covering the project which provides for referral of apprentices. In all cases, such apprenticeship program must be specific to the type and scope of work which is being performed and must have a graduation rate of at least thirty percent, as determined by the New York State Department of Labor.

Section 2. Severability. If any provision of this bill or any other provision of this local law, or any amendments thereto, shall be held invalid or ineffective in whole or in part or

inapplicable to any person or situation, such holding shall not affect, impair or invalidate any portion of or the remainder of this local law, and all other provisions thereof shall nevertheless be separately and fully effective and the application of any such provision to other persons or situations shall not be affected.

APPROVED AS TO FORM

June 9, 2017

First Assistant Corporation Counsel

To: Gerald Campbell, City Clerk
From: Marisa Franchini, First Assistant Corporation
Re: Request for Common Council Legislation Supporting Memorandum
Date: June 9, 2017

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TITLE:

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GENERAL PURPOSE OF LEGISLATION:

To establish a requirement for all city contracts for a public works project that is over \$100,000 to be awarded to a company who has an apprenticeship program as provided in New York State Labor Law § 816-b.

NECESSITY FOR LEGISLATION AND ANY CHANGE TO EXISTING LAW: The

Council has passed previous resolutions requiring the Board of Contract and supply to enact such a rule, however, putting the requirement into law will be most effective.

EXPLANATION OF DEADLINE OR REQUESTED TIME FRAME FOR PASSAGE:

N/A

SPECIFICS OF BIDDING OR OTHER PROCUREMENT PROCESS (if applicable):

N/A

SPECIFICS OF REAL PROPERTY SALE OR ACQUISITION (if applicable):

N/A

FISCAL IMPACT(S):

To be determined.